

February 28, 2024

**VIA ECF**

Hon. Arun Subramanian  
U.S. District Court S.D.N.Y.  
500 Pearl Street, Courtroom 15A  
New York, New York 10007

**Re: Nike, Inc. v. lululemon usa, inc. (Case No. 1:23-cv-00771-AS)**

Dear Judge Subramanian,

Pursuant to the Scheduling Order (ECF No. 56) and paragraph 3(E) of Your Honor's Individual Practices, Plaintiff Nike, Inc. ("Nike") and Defendant lululemon usa inc. ("lululemon") (collectively "parties") hereby request leave to conduct the deposition of Patrick Jeffers, an employee of lululemon, one week after the close of fact discovery.

Fact discovery closes in this case on March 15, 2024. ECF No. 56. lululemon informed Nike that Mr. Jeffers will be unavailable for a deposition for the duration of fact discovery. As a result, the parties have agreed to conduct the deposition of Mr. Jeffers on March 22, 2024. One other request to take a deposition out of time has been made (ECF No. 106) and granted (ECF No. 107) in this case. Taking this deposition out of time will not impact any other deadlines in this case.

Application GRANTED. The  
Clerk of Court is directed to  
terminate the motion at  
ECF No. 111.

SO ORDERED.



Arun Subramanian, U.S.D.J.  
Date: February 28, 2024

Best regards,

/s/ Christopher J. Renk

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